

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AARON LEE METZ,

Plaintiff,

v.

C. SABO ,

Defendant.

CASE NO. 3:20-cv-06242-RSM-BAT

**ORDER DENYING MOTION TO
APPOINT COUNSEL**

Plaintiff filed a civil rights action under 42 U.S.C. § 1983 and moves for appointment of counsel. Dkts 9 and 16. There is generally no right to counsel in a civil action. *See Campbell v. Burt*, 141 F.3d 927, 931 (9th Cir. 1998). The Court may appoint counsel for civil litigants under 28 U.S.C. § 1915(e)(1), but only under “exceptional circumstances.” *Agyeman v. Corrections Corp. of Am.*, 390 F.3d 1101, 1103 (9th Cir. 2004). The Court considers the likelihood of success on the merits and the ability of the plaintiff to articulate his claims pro se in light of the complexity of the legal issues involved in assessing whether exceptional circumstances exist. *Weygandt v. Look*, 718 F.2d 952, 954 (9th Cir. 1983).

Plaintiff requests the Court appoint counsel because he "called four to five attorneys with no reply." Dkt. 16 at 2. That no lawyer has responded to his calls does not constitute “exceptional circumstances.” Plaintiff has also filed several motions and his complaint does not

1 set forth a complicated action. The Court therefore **ORDERS: (1)** Plaintiff's motion for the
2 appointment of counsel, Dkt. 16, is **DENIED** without prejudice; and **(2)** the clerk shall provide a
3 copy of the order to the parties.

4 DATED this 7th day of April 2021.

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BRIAN A. TSUCHIDA
Chief United States Magistrate Judge